

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION

IN RE:

MATTHEW KELLY
DAVENA J. WILEY ADAMS
5214 Kerley Road, Unit A3
Durham, NC 27705
SSN: xxx-xx-9789
SSN: xxx-xx-8405
Debtor(s).

Case No. 11-80992
Chapter: 13

CONSENT ORDER REGARDING MOTION FOR RELIEF FROM THE AUTOMATIC STAY

This matter came on before the undersigned United States Bankruptcy Judge upon the Amended Motion for Relief from Stay (“Motion”) filed by RKR, Inc. t/a Northside Auto Sales (“Northside”), to exercise its state law rights with respect to certain personal property more fully described in the Motion as a **2002 Chevrolet Trailblazer VIN 1GNDT13S922184512** (“Vehicle”). The Court having considered the Motion and the record in this case finds and concludes as follows:

1. The Creditor filed the Amended Motion on July 27, 2011;
2. An Objection to the Motion was timely filed by counsel for the debtor on August 4, 2011;
3. A Notice of Withdrawal of Opposition to the Motion was filed on August 23, 2011 and the Debtor consents to the Motion.

NOW, THEREFORE, it is hereby ORDERED, ADJUDGED AND DECREED:

The Motion is granted and the automatic stay is hereby modified in to allow the Creditor to exercise its state law rights with respect to the Vehicle.

IT IS FURTHER ORDERED that if sale of the Vehicle is held and excess proceeds are derived, then such proceeds shall be deposited with the Chapter 13 Trustee in this case.

Approved:

/s/ Koury L. Hicks
Koury L. Hicks
Law Office of John T. Orcutt, P.C.
Debtors' Attorney
6616-203 Six Forks Road
Raleigh, NC 27615

/s/ James W. Sprouse, Jr.
James W. Sprouse, Jr.
Attorney for RKR, Inc., t/a Northside Auto Sales
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PARTIES TO BE SERVED

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Chapter 13 Trustee
P. O. Box 3613
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Matthew Kelly and
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